

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These proposed amendments reflect the new accreditation standards in rule 441—24.21(225C) for crisis response services. Iowa Medicaid currently covers crisis response services; however, these amendments will clarify services covered and provide standards for operation for Medicaid crisis response service providers.

These amendments also establish the process by which the Department of Human Services’ Iowa Medicaid Enterprise (IME) will enroll and reimburse qualified subacute mental health facility providers.

Any interested person may make written comments on the proposed amendments on or before November 28, 2017. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4.

The following amendments are proposed.

ITEM 1. Adopt the following new rule 441—77.55(249A):

#### **441—77.55(249A) Crisis response services.**

**77.55(1) Definitions.** The terms used in this rule shall have the same meaning as set out in 441—Chapter 24, Division II.

**77.55(2) Eligible providers.** Agencies which are accredited under the mental health service provider standards established by the mental health and disability services commission, set forth in 441—Chapter 24, Division II, are eligible to participate in the program by providing crisis response services, crisis stabilization community-based services, and crisis stabilization residential services.

**77.55(3) Provider standards.** All providers of crisis response services, crisis stabilization community-based services, and crisis stabilization residential services shall meet the standards criteria as set forth in 441—Chapter 24, Division II.

ITEM 2. Adopt the following new rule 441—77.56(249A):

#### **441—77.56(249A) Subacute mental health services.**

**77.56(1) Definitions.** The terms used in this rule shall have the same meaning as set out in Iowa Code section 135G.1.

**77.56(2) Subacute mental health services.** Subacute mental health services are intended to be short-term, intensive, recovery-oriented services designed to stabilize an individual who is experiencing a decreased level of functioning due to a mental health condition.

**77.56(3) Eligible provider.** Subacute mental health care facilities which are licensed by the department of inspections and appeals in accordance with 481—Chapter 71 are eligible to participate in the program by providing subacute mental health services.

**77.56(4) Provider standards.** All providers of subacute mental health services shall meet the standards criteria as set forth in 481—Chapter 71.

ITEM 3. Adopt the following new rule 441—78.60(249A):

**441—78.60(249A) Crisis response services.** Payment will be made to providers (eligible pursuant to rule 441—77.55(249A)) of crisis response services, crisis stabilization community-based services, and crisis stabilization residential services delivered as set forth in 441—Chapter 24, Division II.

ITEM 4. Adopt the following new rule 441—78.61(249A):

**441—78.61(249A) Subacute mental health services.** Payment will be made to providers (eligible pursuant to rule 441—77.56(249A)) for the provision of subacute mental health care facility services that meet the standards outlined in 481—Chapter 71.

ITEM 5. Adopt the following new provider categories in subrule **79.1(2)**:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Crisis response services	Fee schedule	Fee schedule in effect 2/1/18.
Crisis stabilization community-based services	Fee schedule	Fee schedule in effect 2/1/18.
Crisis stabilization residential services	Fee schedule	Fee schedule in effect 2/1/18.
Subacute mental health facility	Fee schedule	Fee schedule in effect 2/1/18.

ITEM 6. Adopt the following new subparagraph **79.3(2)“d”(44)**:

(44) Crisis response services, crisis stabilization community-based services and crisis stabilization residential services.

1. Physician orders or court orders.
2. Independent assessment.
3. Individual treatment plan.
4. Service notes or narratives (history and physical, therapy records, discharge summary).
5. Medication administration records (residential services).

ITEM 7. Adopt the following new subparagraph **79.3(2)“d”(45)**:

(45) Subacute mental health services.

1. Assessment.
2. Individual stabilization plan.
3. Service notes or narratives (history and physical, therapy records, discharge summary).
4. Medication administration records (residential services).